

**United States Bankruptcy Court
Middle District of Pennsylvania**

In re:

Louis Cavicchio, IV,
Lesa Cavicchio,

Debtors.

Case No. 1:22-bk-02186-HWV

Chapter 13

Response to ECF No. 81

**Debtors' Response to Trustee's Objection
to Third Amended Chapter 13 Plan**

AND NOW, Debtors Louis Cavicchio, IV and Lesa Cavicchio, by and through their attorney, hereby respond to the Trustee's objection to their third amended plan:

1. The bankruptcy code prohibits confirmation of a plan if the debtors have not filed with appropriate tax authorities all tax returns for all taxable periods ending during the 4-year period ending on the date of the filing of the petition. 11 U.S.C. § 1325(a)(9); 11 U.S.C. § 1308(a).
2. This case was filed on November 11, 2022, meaning that the four-year period began on November 11, 2018.
3. Because the Trustee does not allege that the Debtors failed to file tax returns for tax years 2018 through 2022, the objection must be overruled.

NOW, THEREFORE, the Debtors ask this Court to overrule the objection and confirm the plan in the form of order attached.

Date: January 9, 2024

CIBIK LAW, P.C.
Counsel for Debtor

By: /s/ Michael I. Assad
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Certificate of Service

I certify that on this date I caused a true and correct copy of the Debtors' Response to Trustee's Objection to Third Amended Chapter 13 Plan to be served on Jack N Zaharopoulos through the CM/ECF system along with all attachments.

Date: January 9, 2024

/s/ Michael I. Assad
Michael I. Assad

**UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF PENNSYLVANIA**

In re:

Louis Cavicchio, IV,
Lesa Cavicchio,

Debtors.

Case No. 1:22-bk-02186-HWV

Chapter 13

Order Confirming Chapter 13 Plan

AND NOW, upon consideration of:

1. the plan submitted by the debtor under chapter 13 of title 11, United States Code,
2. the recommendation of the standing chapter 13 trustee in support of or opposition to confirmation, and
3. all objections to confirmation by the trustee, creditors, and other interested parties,

AND the Court finding that:

- A. a meeting of creditors has been held upon notice and concluded as required by 11 U.S.C. § 341(a),
- B. the plan complies with all applicable provisions of title 11, United States Code, including 11 U.S.C. §§ 1322 and 1325,
- C. all fees, charges, or amounts required to be paid before confirmation under chapter 13 of title 28 or by the plan have been paid,
- D. the debtors have certified compliance with post-petition obligations as required by 11 U.S.C. §§ 1325(a)(8) and 1325(a)(9), and
- E. a confirmation hearing has been held upon notice.

NOW, THEREFORE, it is **ORDERED** that all objections to confirmation of the plan are **OVERRULED**. It is further **ORDERED** that the plan is **CONFIRMED**.